



ORDINANCE NO. 1843

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, AS HERETOFORE AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT FOR A TEMPORARY USE BY AMERICAN AIRLINES OF A PARK AND RIDE FACILITY IN PLANNED DEVELOPMENT NO. 51 (PD-51) ZONING DISTRICT; PROVIDING FOR CONDITIONS OF OPERATION; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF; AND DECLARING AN EMERGENCY.

Whereas, the City Plan Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting of a specific use permit under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Farmers Branch is of the opinion that said change in zoning uses should be made;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended by amending the Zoning Map of the City of Farmers Branch so as to grant a specific use permit for a temporary use by American Airlines, or its authorized agents, as a park and ride facility for the exclusive use of passengers on flights originating or terminating at D/FW International Airport for a period ending September 30, 1991.

SECTION 2. That the temporary park and ride facility shall be located within the property located generally at the northwest corner of Midway Road and Valley View Lane and as more specifically described in Exhibit "A" attached hereto and incorporated herein.

SECTION 3. That the temporary park and ride facility shall be operated in accordance with the following restrictions:

- a. All uses permitted hereinunder, and the authorization of same, shall cease, desist and terminate on September 30, 1991.
- b. Use of the property for the specific uses authorized hereinunder shall not be permitted by any person or entity other than American Airlines or its duly authorized agents or/and shall not be utilized for any purpose other than a park and ride facility for the use of passengers on flights originating or terminating at D/FW International Airport.
- c. The uses permitted hereby, and the termination thereof as herein provided, shall not in any way limit, restrict or impair the existing uses permitted in Planned Development District No. 51 (PD-51) as established by Ordinance No. 1761 of the City of Farmers Branch.
- d. A Hold Harmless Agreement be executed by American Airlines for parking and fencing over easements.
- e. A site plan be prepared, submitted and approved by the Planning and Zoning Commission and the City Council and attached hereto as Exhibit "B".

SECTION 4. That the above described property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as amended by Ordinance No. 1761 of the City of Farmers Branch and herein by the granting of a specific use permit for a temporary park and ride facility subject to the restrictions herein setforth.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense.

SECTION 6. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this


ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 7. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said Ordinance as the law and the City Charter in such cases provides.

DULY PASSED by the City Council of the City of Farmers Branch, Texas, on this the 18th day of September, 1989.

APPROVED:



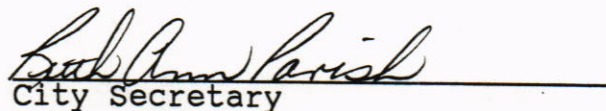
Mayor

APPROVED AS TO FORM:

ATTEST:



City Attorney



City Secretary

Exhibit "A"

LEGAL DESCRIPTION

BEING all of THIRD REVISED TREASURY ADDITION, an addition to the city of Farmers Branch, Dallas County, Texas, recorded in Volume 75212, Page 1531 of the Deed Records of Dallas County, Texas, and being more particularly described as follows;

BEGINNING at an iron rod at the northeast corner of the abovementioned addition and in the west ROW line of Midway Road (a 100' ROW);

THENCE SOUTH, 55.40' with the west line of Midway Road to an iron rod at the northeast corner of VINCENT'S SEAFOOD RESTAURANT ADDITION, an addition to the city of Farmers Branch, Texas, recorded in Volume 75212, Page 1539 of the Deed Records of Dallas County, Texas;

THENCE S $89^{\circ}47'50''$ W, 91.32' with the north line of VINCENT'S SEAFOOD RESTAURANT ADDITION to a iron rod for corner at the beginning of a curve to the left having a central angle of $89^{\circ}45'56''$ and a radius of 19.50';

THENCE around said curve add with the north line of aforementioned addition, a distance of 30.55' to a cross for corner;

THENCE S $00^{\circ}01'54''$ W, 295.55' with the west line of the aforementioned addition to a cross for corner at the beginning of a curve to the left having a central angle of $90^{\circ}03'15''$ and a radius of 19.50';

THENCE around said curve and with the west line of the aforementioned addition, a distance of 30.65' to an iron rod for corner;

THENCE N $89^{\circ}58'39''$ E, 91.40' with the south line of the aforementioned addition to an iron rod for corner in the west line of Midway Road;

THENCE SOUTH, 82.50' with the west line of Midway Road to an iron rod for corner at the beginning of a curve to the left having a central angle of $12^{\circ}43'40''$ and a radius of 813.94;

THENCE around said curve and with the west line of Midway Road, a distance of 180.81' to an iron rod for corner;

THENCE SOUTH, 136.80' with the west line of Midway Road to an iron rod for corner in the north ROW line of Interstate Highway 635 (a variable width ROW);

THENCE S $67^{\circ}25'40''$ W , 324.89' with the north line of I.H. 635 to an angle in the north R.O.W. line of Valley View Lane (a variable width R.O.W.);

THENCE N $89^{\circ}56'40''$ W, 191.43' with the north line of Valley View Lane to a cross for corner;

THENCE N $00^{\circ}03'20''$ E, 20.00' with the north line of Valley View Lane to a nail for corner;

THENCE N $89^{\circ}56'40''$ W, 425.02' with the north line of Valley View Lane to an iron rod at the southeast corner of Lot 3, Block A of the CENTRE ADDITION, an addition to the city of Farmers Branch, Texas, recorded in Volume 79206, Page 358 of the Deed Records of Dallas County, Texas;

THENCE NORTH, 892.96' with the east line of the aforementioned Lot 3 to an iron rod for corner in the south ROW line of Blue Lake Circle (a 60' ROW);

THENCE EAST, 896.44' with the south line of Blue Lake Circle to the place of beginning and containing 761,045 square feet or 17.4712 acres of land.

Exhibit "B"